

Date: September 21, 2004

To: City of Sunnyvale Planning Commission

From: Magda Gabali, Citizen
369 Sunset Ave.
Sunnyvale, CA 94086

Re: Appeal Request

Subject: 2004-0590
Proposal by the Alaris Group
At 231 Sunset Ave.

I am appealing the City of Sunnyvale's decision to approve a Permit allowing for the building of a monopole of at least 50 feet in height, and its associated equipment, in the parking lot at St. Thomas Parish Church.

The City of Sunnyvale, along with the Applicant (the Alaris group) and the owner of the building site (the St. Thomas Parish Church) approved the building of this elevated monopole, and its associated equipment, without providing adequate documented evidence of the safety of this equipment with respect to its long-term placement and potential health and safety hazards to the neighboring residents and environment.

The Alaris group dismissed the concerns of the neighboring residents with respect to the long-term potential health hazards of this equipment. The Alaris representative's said there was "no evidence" the radio emissions from the monopole or its accompanying equipment resulted in harm to residents. The representative did not provide any documented evidence the long-term exposure of humans and other living organisms to the radio emissions was safe. It is the responsibility of any organization to prove long-term exposure to their products do not pose a hazard to public safety, as opposed to having public citizens, such as myself, to prove that it is unsafe. This is especially true when such products are placed outside of the citizens' property and access, but their placement impact and affect the citizens' homes, personal property, and family members.

The City of Sunnyvale Report to the Planning Commission during the public hearing held on September 13th, 2004, included a Statement by "Hammet & Edison Inc., Consulting Engineers", a firm contracted by the Alaris group, to support the position of their position that radio emissions were safe. There was no report provided by an independent consultant contracted by the City of Sunnyvale to support the stance maintained by the Alaris group.

An "Environmental Checklist Form" was included in the Planning Commission's Report to address the environmental impact resulting from the monopole and its associated equipment. The City Planner completed this form. Upon interview on September 13th, the City Planner said she had a degree in "urban planning". The City Planner who completed the environmental impact form was not a trained or experienced environmentalist who could provide definitive opinions on the environmental impact of such equipment. No additional documented evidence was provided in the Planning Commission report to support the safety to the environment of the erection of this structure.

The Alaris group did not adequately address the concerns of the neighborhood residents regarding safety hazards in the event of natural disasters such as seismic events. The representative said the monopole will "meet building code" but did not provide any documented evidence that such monopoles had survived any seismic events, or other natural disasters such as severe winds or storms.

All of the above concerns were directed to the Planning Commission and the Alaris Group during the Public Hearing on September 13th, 2004. The City of Sunnyvale Planning Commission voted to grant the Applicant the Use Permit despite these shared concerns and in the absence of adequate documented evidence supporting the long-term safety of this equipment.

The City of Sunnyvale did not uphold its responsibility to public safety by ensuring the Applicant provided documented information and evidence ensuring the safety of this equipment in a residential neighborhood and to its residents and environmental community.

As a concerned American Citizen, and a Resident of the City of Sunnyvale since 1967, I am requesting an Appeals Hearing to further address these concerns, and request the City of Sunnyvale reject the Alaris Group's application of erecting such equipment in any residential area of the City.

I look forward to addressing the representatives of the City's Planning Commission in the near future regarding all the above issues and concerns.